

REMARKS

Claim 3 was objected to as not specifying with proper dependency. As discussed with the Examiner on May 2, 2007, a Preliminary Amendment was submitted on January 5, 2007 when the application entered the national phase, which amended claim 3 to have claim 3 depend solely from claim 1. It is requested that this objection be lifted.

Claims 1-4 were rejected under 35 U.S.C. §112, second paragraph as being indefinite because the phrases "suitable" and "preferably" render the claim indefinite. Claim 1 has been amended to delete these phrases and to recite "each semi-shell being provided with a lower tapered end". Claim 1 was further rejected because it was considered unclear how the wings were symmetrically folded one against the other. Claim 1 has been amended to delete "against the other" and to substitute therefor – towards the other --. Referring to FIG. 1, it is clear that the wings 62 are folded towards one another. Support for this amendment is found on page 4, lines 25-27 where the specification states "two longitudinal wings (6a) symmetrically folded one towards the other".

Claims 1-2 and 4 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Berman* '379 in view of *Walters* '619.

The Examiner equates vertical rib 5 of the invention to a rib 66 on the '179 reference. However, rib 66 is a portion of the pressure jaw 58 which, in turn, is a part of the movable clamping joint. This rib 66 is not formed on the shell as in the claimed invention, but is on a separate component. Further, in the claimed invention, the special joint 6, having two wings (6a) mates with the rib 5 in a sliding action wherein the wings (6a) are engaged with the ribs 5 (specification page 5, lines 1-3). The '179 reference does not have comparable ribs and does not close in a sliding manner. The '179 device closes by horizontally swinging the pressure jaw as shown in FIGS. 3 and 7 and disclosed in column 6, lines 37-41. Thus, the structure and mode of action are distinguishable from the present invention.

The ribs disclosed by *Walters* depend on a resilience of the material of construction (column 5, lines 38-29) to embrace the mounting flanges 55. The ribs do not slide to engage the flange as does the special joint 6 of the present invention. Neither does *Walters* suggest sliding of the mounting clips 70. Rather, *Walters* discloses a bow-shaped clip, which due to its shape and material of construction, would slide only with difficulty. Further, each semi-shell of the present invention has a lower tapered end (5a) to facilitate insertion of the joints 6 (page 5, lines 4-5 and FIG. 1). *Walters* does not disclose nor suggest a tapered end. It is submitted that the structure of the present invention is distinguishable from the structure of *Walters*.

It is further submitted that even if *Berman* and *Walters* were combined, the resulting device would not have a separate component like the special joint 6 of the present invention which slides upwardly to join the two shells by the engagement of the wings (6a) with the ribs 5 which is facilitated by the tapered lower end (5a) of the rib 5.

In summary the novel features of the present invention are:

1. Each semi-shell has a rib 5 formed on the edge of the respective shell, not on a separate component.
2. The special joint 6 has two wings (6a) which mate with the ribs 5 in a sliding action whereas the cited references do not slide.
3. Each semi-shell has a lowered taper end to facilitate sliding of the special joint. Neither of the references discloses nor suggest a tapered end.

It is further submitted that *Walters* is not analogous art in that it is directed to a kit for model builders. It is directed to model houses and building and would not be an area in which a person skilled in the art of molding concrete blocks would be expected to be knowledgeable.

It appears that all matters have been addressed satisfactorily, and that the case is now in condition for a complete allowance; and the same is respectfully urged.

However, if the Examiner has any comments or questions, or has any suggestions as per MPEP 707.07 (d) and (j), for putting the case in condition for final allowance, she is respectfully urged to contact the

undersigned attorney-of-record at the telephone number below, so that an expeditious resolution may be effected and the case passed to issue promptly.

July 30, 2007
Date

Respectfully submitted,

Robert M. Gamson
Robert M. Gamson
Reg. No. 32,986
Attorney for Applicant

<p>CERTIFICATE OF TRANSMITTAL</p> <p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>Date: July 30, 2007 Express Mail No. EB183384388US</p> <p>By: <u>Carolyn H. Bates</u> Carolyn H. Bates</p>

HODES, PESSIN & KATZ, P.A.
901 Dulaney Valley Road, Suite 400
Towson, MD 21204
Phone: 410-769-6145
Fax: 410-832-5637
E-Mail: rgamson@hpklegal.com

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